VOLUME VI.-NUMBER 7891.

CHARLESTON, S. C., FRIDAY MORNING, FEBRUARY 28, 1868.

[EIGHTEEN CENTS A WEEK

### BY TELEGRAPH.

Our European Dispatches.

[PER ATLANTIC TELEGRAPH.]

RESIGNATION OF LORD DERBY AS PREMIER-FOR-EIGN MARKETS. LONDON, February 25-Evening,-The Liverpool Courier of this morning contained a report that Lord Derby had resigned the premiership, and that his resignation had been accepted by the Queen. During the day the news was confirmed. It was also ascertained that Disraeli would succeed Lord Derby as Prime Minister, at the same time retaining his present post. In the House of Lords, this Uplands; to the continent 74 Sea Islands and afternoon, Earl Malmesbury announced that 11.588 Uplands; coastwise 3827 Sea Islands and Lord Derby had tendered his resignation on 175,523 Uplands. account of ill health, and her Majesty had called upon the present Chancellor of the Exchequer (Disraeli) to form a new cabinet. Lord Russell and others expressed their sympathy for Lord Derby, and hope i he might recover and resume his post of the head of the min-dlings 201c. Tar steady at \$2 35. istry. In the House of Commons the announcement of the resignation of Lord Derby was made by Lord Stanley and responded to by Mr.

Gladstone, who, with much delicacy and teeling, expressed his sorrow. The transaction of business in the House was postponed to Friday. LONDON, February 27 -- Evening .- The bulhon has decreased in the Bank £157,000. Securities unchanged. LIVERPOOL, February 27-Noon.-Cotton

quiet; sales 10,000 bales. LIVERPOOL, February 27-2 P. M.-Cotton dull and declined #d.; Uplands 9fd.; to arrive, 91d.; Orleans 9fd. Lard 61s.

LIVERPOOL, February 27-Evening-Cotton closed dull but steady; Uplands 91d. on the spot; afloat, 9id.; Orleans 9ia9id. Breadstuffs and provisions unchanged.

Over Washington Dispatches. DESTRUCTION OF COTTON CLAIM PAPERS-AD-MISSION OF ALABAMA-THE THOMAS AND STAN-

TON IMBROGLIO. WASHINGTON, February 27 .- A fire at the corner of Fifteenth and F streets has destroyed a large amount of proofs and documents in the cotton cases, principally from Savannah and Charleston. The owners and counsel will be

seriously inconvenienced. The lowa State Democratic Convention have elected delegates .favorable to Pendleton, and

have instructed them to vote as such. The impeachment matter made no progress to-day.

Several parties interested in Alabama's admission were before the Reconstruction Committee to day urging promptness.

Thomas lays his damages against Stanton at \$250,000. He has applied for a quo warranto against Stanton. The President takes no part in the proceedings.

#### Congressional Proceedings. A GUY FAWKES PLOT DISCOVERED-CONGRESS TO

BE BLOWN UP WITH NITRO-GLYCERINE-BAIL-ROAD SYSTEM OF THE SOUTH. Washington, February 27 .- In the Senate

the proceedings are not of general interest. IN THE HOUSE a bill was presented for bridging the Ohio at Paducah. Raum, of Illinois, opposed the bill, because the whole railroad system of the South was guaged infferently from Northern roads, expressly in view of the separation of the two sections. The bill was

A bill for constructing a postal bridge over the Ohio, at Licking River, was passed.

The consideration of the Civil Appropriation

communication seemed to create more alarm than merriment.

The House afterward adjourned.

# The Reconstruction Conventions.

NORTH CABOLINA. RALEIGH, February 27 .- The convention met and adjourned at an early hour to attend the Radical nominating convention. Up to halfpast three P. M. that body had made the following nominations: For Governor, W. W. Holden; Lieutenant-Governor, Todd H. Caldwell; Secretary of State, H. J. Meninger, of Ohio; Public Treasurer, D. A. Jenkins, of Gaston; Auditor, Henderson Adams, of David-the said department."

The said department. It is clear that this act, passed by a Congress is the said department. son; Superintendent of Public Works, C. L. Harris, of Wake; Superintendent of Public Instruction, Rev. S. S. Ashley, of Massachusetts; Judge of the Supreme Court, R. M. Pearson; the present Chief Justice, R. P. Dick, of Guilford; W. B. Rodman, and perhaps two more. The Superior Court judges of the different circuits have not been all nominated. The following Congressional nominations were made: John R. French, of Washington, D. C.; Colonel David Heaton, of Ohio; Colonel J. T. Deweese, of Illipois. It was said that J. H. Harris, a negro, was the first nominee, but declined, as the Radicals in Congress did not wish negroes elected to that body.

GEORGIA. ATLANTA, February 27 .- It was resolved in convention to-day that the State capital be romoved from Milledgeville to Atlanta-yeas 99,

JACKSON, February 27 .- A resolution was adopted thanking Congress for impeaching the President. The Bill of Rights was under consideration, and sections were adopted prohibiting duelling, defining treason against the State and prohibiting property or educational qualifications for electors. The other business was

The Alabama Election. MONTGOMERY, February 27 .-- The returns

from all the counties in which elections are held have been received, but their publication

### Murder in Alabama.

Montgomery, February 27 .- A negro man who was known to be opposed to the League, and who used his influence to keep negroe from voting, was killed by a violent Radical negro last Monday night, about twenty miles from this city.

# Market Reports.

New York, February 27 .- Noon. -- Sterling 93. Old Bonds 104. Gold 414. Flour 10a20c. lower. Wheat drooping. Corn 1 cent better. Mess Pork better at \$25. Lard firm at 153a163 cents. Cotton drooping at 22a221c. Turpentine 724a734c. Rosin firm. Evening-Cotton dull and a shade easier.

Sales 2800 bales, at 22a221c. Breadstuffs heavier but prices unchanged. Naval Stores unchanged. Freights dull and easier. Governments closed steady. Exchange 93a9;. Gold

BALTIMORE, February 27 .- Cotton very dull and drooping. Flour very dull. Wheat dull, and nominally unchanged. Corn declined 2a3c. Provisions very active. Bacon firm; Shoulders 12dc.; clear ribbed Sides 15c. Lard 163a17c.

kets are not materially changed. Provisions very stiff, with a tendency upward.

easier; sales 425 bales; receipts 1082 bales; Middlings 201c.

SAVANNAH, February 27 .- Cotton quiet and declined 1c.; Middlings 22c.; sales 725 bales; receipts 2766 bales. Receipts for the week 170 Sea Islands and 22,653 Uplands. Exports to Liverpool 801 Sea Islands and 19,284 Uplands; coastwise 10,596 Uplands. Stock 1907 Sea Islands and 60,545 Uplands. Receipts for the season 8163 Sea Islands and 395,345 Uplands. Exports to England 2477 Sea Island and 150,194

MOBILE, February 27 .- Cotton closed quiet. Middlings 20ga21c. Sales 2800 bales. Receipts 1000 bales. Exports 4145 bales.

WILMINGTON, February 27. -Turpentine 65c. Rosin weak; No. 2 \$2 50. Cotton quiet; Mid-

#### THE NATIONAL CRISIS

PRESIDENT JOHNSON'S MESSAGE IN VINDICATION OF HIS COURSE.

THAD, STEVENS' SPEECH ON IMPEACH-MENT.

INTERESTING ACCOUNTS FROM WASHINGT ON

The columns of the Northern papers are crowded with dispatches and correspondence from Washington. From the mass of interesting news matter which they contain, we select what is most important and readable.

THE PRESIDENT ON THE BEMOVAL OF STANTON-AN ABLE VINDICATION OF THE PROCEEDING.

The following is President Johnson's message sent to the Senate on Monday, of which we gave a synopsis yesterday: To the Senate of the United States: I have

received a copy of the resolution adopted by the Senate on the 21st instant, as follows:

of that office ad interim."

This resolution is confined to the power of the President to remove the Secretary of War and to designate another officer to perform the duties of the office ad interim, and by its preamble is made expressly applicable to the removal of Mr. Stanton, and the designation to act ad interim of the Adjutant-General of the act at interim of the Adjutant-General of the August less was intended to need to doubt a sto the construction of the law, and from the first I deemed it desirable that at the earliest possible moment those doubts should be settled, and the true construction of the act fixed by the decision of the Supreme Court of the United States. My order of suspension, in moval of Mr. Stanton, and the designation to act ad interim of the Adjutant-General of the army. Without, therefore, attempting to dis-cuss the general power of removal as to all officers, upon which subject no expression of opinion is contained in the resolution, I shall confine myself to the question as thus limted-the power to remove the Secretary of

the Constitution and laws of the United States the President has no power to remove the Sec-retary of War and designate any other officer to perform the duties of that office ad interim." As to the question of power under the consti-tution I do not propose at present to enter up-on its discussion. The uniform practice from on its discussion. The uniform practice from the beginning of the government, as established by every President who has excreised the office, and the decisions of the Supreme Court of the United States, have settled the question in favor of the power of the President to remove all officers excepting a class holding appointments of a judicial character. No practice or any decision, has excepted a Secretary of Wer from this general power of the President control of the bill was resumed.

Mr. Coltax read to the House a letter from the Chief of Police in New York to the Chief at Washington, containing a statement that T.

P. Shaffner reported that one hundred and sixty pounds of mtro-glycerine was in unauthorized hands. The New York Chief feared that it was intended for Washington. The the country. What, then, are the laws of the country. What, then, are the laws of the Country was no protection to them; no one dissented from this construction, and I understood them all to acquiesce in its correctness.

In a matter of such grave consequence I was not disposed to rest upon my can opinions, though fortified by my constitutional advisors. I have therefore sought to bring the question at as early a day as possible before the Supreme Court of the United States for final and untoritative decision. In respect to so much of the resolution as relates to the designation of an officer to act as Societary of War ad in-United States which deny the President the power to remove that officer? I know but two laws which bear upon this question. The first in order of time is the act of August 7th, 1789, creating the Department of War, which, after providing for a Secretary as its principal offi-

providing for a Secretary as its principal officer, proceeds as follows:

"Sec. 2. And be it further enacted, That there shall be in the said department an inferior officer, to be appointed by the said principal officer, to be employed therein as he shall deem proper, to be called the chief clerk in the Department of War, and who, whenever the said princ pal officer shall be removed from office by the President of the United States, or its care of the graphy shall during in any other case of vacancy, shall, during such vacancy, have the charge and custody of all records, books and papers appertaining to

It is clear that this act, passed by a Congress many of whose members participated in the formation of the constitution, so far from denying the power of the President to remove the Secretary of War, recognizes it as existing in the Executive alone, without the concurrence of the Secate or of any other department of the government. Furthermore, this act does not purport to confer the power by legislative authority, nor in fact was there any other existing legislation through which it was brought upon

the Executive.

The recognition of the power by this act is therefore complete as a recognition under the constitution itself, for there was no other source or authority from which it could be desourse or authority from which it could be derived. The other act which refers to this question is that regulating the tenure of certain civil officers, passed by Congress on the second day of March, 1867. The first section of that act is in the following words: "That any person holding any civil office to which he has been appointed by and with the advice and consent of the Senate, and any person who shall hereafter be appointed to any such office, and shall become qualified to act therein, is and shall be contiled to hold such office until a successor shall have been in like manner appointed and duly considered and consent as herein. This law, with some modifications, re-emacts the acts of 1792, and provides, as did that act, for the sort of yearnees so to be tilled, but like and shall be entitled to hold such office and a successor shall have been in like manner appointed and duly qualified, except as herein otherwise provided. Provided that the Secretaries of State, of the Treasury, of War, of the Navy, and of the Interior, the Postmaster-General and the Attorney-General, shall hold their expectively for and during the term of offices respectively for and during the term of the President by whom they may have been appointed, and for one mouth thereafter, sub-ject to removal by and with the advice and

get te removal by and with the advice and consent of the Senate."

The fourth section of the same act restricts the term of offices to the limit prescribed by the law creating them. That part of the first section which precedes the proviso declares that every person holding a civil office to which he has been or may be appointed, by and with the advice and consent of the Senate, shall hold such office until a successor shall have been in like manner appointed. It purports to take from the Executive, during the fixed time established for the tenure of the office, the independent power of removal, and to require for such removal the concurrent action of the President and the Senate. The provise that follows proceeds to fix the term of office of seven heads of departments whose tenure never had been actined before, by prescribing that they "shall hold their offices, respectively, for and during the term of the President by whom they may have been appointed, and for one month thereafter, subject to removal by and with the advice and consent of the Senate."

Thus, as to these enumerated officers, the proviso takes from the President the power of proviso takes from the Freshoett the power of removal except with the advice and consent of the Scate. By its terms, before he can be de-prived of the power to displace them, it must appear that he himself has appointed them. It is only in that case that they have any ten-ure of office or any independent right to hold during the term of the President, and for one mouth after the cessation of his official func-tions

The proviso, therefore, gives no tenure of office to any one of these officers who has been appointed by a former President beyond one month after the accession of his successor.

In the case of Mr. Stanton, the only appointment under which he held the office of Secre-

CINCINNATI, February 27.—The Western martets are not materially ehanged. Provisions
ery stiff, with a tendency upward.

AUGUSTA, February 27.—Cotton dull and
saier: sales 425 bales; receipts 1082 bales;

appointment and my own sufferance.

The law was not intended to protect such an incumbent of the War Department by taking from the President the power to remove him. This, in my judgment, is perfectly clear, and the law itself admits of no other just construction. We find in all that portion of the first vection, which precedes the provise that as for the law itself admits of no other just construction. We find in all that portion of the first
section which preceds the proviso that as to
civil efficers generally, the President is deprived of the power of removal; and it is plain that
if there had been no proviso, that power would
just as clearly have been taken from him, so
far as it spplies to the seven heads of the departments, but for reasons which were no
doubt satisfactory to Congross, these principal
officers were specially provided for, and as to
them the express and only requirement is that
the President who has appointed them shall
not, without the advice and consent of the
Senate, remove them from office. The consequence is that as to my cabinet, embracing the
seven officers designated in the first section,
the act takes from me the power, without the
concurrence of the Senate, to remove any one
of them that I have appointed, but does not
protect such of them as I did not appoint, nor
give to them any tenure of office beyond my
pleasure.

An examination of this act, then, shows that At examination of this act, then, shows that while in one part of the section provision is made for officers generally, in another clause there is a class of officers designated by their official titles, who are excepted by the general terms of the law, and in reference to whom a clear distinctinction is made as to the general power of removal limited in the first clause of the section. This distinction is that as to such the section. of these enumerated officers as hold under the appointment of the President, the power of removal can only be exercised by him with the consent of the Senato, while as to those who consent of the Senato, while as to those who have not been appointed by him there is no like denial of his power to displace them. It would be a violation of the plain meaning of this eractment to place Mr. Stanton upon the same footing as those heads of departments who have been appointed by myself. As to him, this law gives him no tenure of office.

The members of my cabinet who have been appointed by me are, by this act, entitled to

The members of my cabinet who have been appointed by me are, by this act, entitled to hold for one month after the term of my office shall cease; but Mr. Stanton could not, against the wishes of my successor, hold a m ment thereafter. If he were permitted by that successor to hold for the first two weeks, would that successor have no power to remove him? But the power of my successor over him could but the power of my successor over him read be no greater than my own. If my successor would have the power to remove Ar. Stanton after permitting him to remain a period of two weeks because he was not appointed by him, but by his predecessor, I, who have tolerated Mr. Stanton for more than two years, certainly have the same right to remove him. and upon received a copy of the resolution adopted by the Senate on the 21st instant, as follows:

"Whereas the Senate have received and considered the communication of the President stating that he had removed Edwin M. Stanton, Secretary of War, and had designated the the Adjutant-General of the army to act as Secretary of War ad inverim; therefore

"Resolved by the Senate of the United States, That under the Constitution and laws of the United States the President has no power to remove the Secretary of War and designate any other officer to perform the duties signate any other officer to perform the duties onstitutional or not it was always my opinion that it did not secure him from removal. I was, however, aware that there were doubts are received and constitutional or not it was always my opinion that it did not secure him from removal. I was, however, aware that there were doubts are received and constitutional or not it was always my opinion that it did not secure him from removal. I was, however, aware that there were doubts are received and constitutional or not it was always my opinion that it did not secure him from removal. I was, however, aware that there were doubts are received and constitutional or not it was always my opinion that it did not secure him from removal. I was, however, aware that there were doubts are received and constitutional or not it was always my opinion that it did not secure him from removal. I was always my opinion that it did not secure him from removal.

August last, was intended to place the case in such a position as would make a resort to a judicial decision both necessary and proper. My understanding and wishes, however, under that order of suspension, were frustrated, and the late order for Mr. Stanton's removal was a further step towards the ac omplishment of

Interest step towards the ac omplishment of that purpose.

I repeat that my own convictions as to the true construction of the law, and as to its constitutionality, were well settled and were sustained by every member of my Cabinet, including Mr. Stanton himself. Upon the question of constitutionality each one in turn deliberately advised me that the Tenuro of Office act was precessful though. Upon the question whether ly advised me that the Tenure of Office act was unconstitutional. Upon the question whether, as to those members who were appointed by my predecessor, that act took from me the power to remove them, one of those members emphatically stated, in the presence of the others sitting in Cabinet, that they did not come within the provisions of the act, and it was no protection to them; no one dissented from this construction, and I understood them all to acquiesce in its correctness.

In a matter of such grave consequence I was

of an officer to act as Schetary of War ad inlerms, I have only to say that I have exercised
this power under the provisions of the first
section of the act of F bruary 13, 1795, which,
so far as they are applicable to vacancies
caused by removals, I understand to be still in
force. The legislation upon the subject of att
interim appointments in the executive departments stands as to the War Office as follows:

The second section of the set of the 7th of Ar.

The second rection of the act of the 7th of Au partment, and upon such a vacacy gives the charge and custody of the records, books and papers to the chief clerk. Next, by the act of the 8th of May, 1792, section eight, it is provided that in case of vacancy occasioned b death, absence from the seat of government, or sickness of the head of the War Department, the President may authorize a person to perform the duties of the office until a successor is appointed or the disability removed.

The act, it will be observed, does not provide for the case of a yearney caused by removal.

seat of government, or sickness of the head of any executive department of the government; and upon the occurrence of such a vacancy,

the acts of 1792, and provides, as did that act, for the sort of vacances so to be tilled, but like the act of 1792, it makes no prevision for a vacancy occasioned by removal. It has reference altogether to vacancies arising from other causes. According to my construction of the act of 1863, while it impliedly repeals the act of 1792, regulating the vacancies therein described, it has no bearing whatever upon so much of the act of 1795 as applies to a vacancy caused by removal. The act of 1795, therefore, furnishes the rule for a vacancy occasioned by removal—one of the vacancies expressly referred to m the act of the 7th of August, 1789, creating the department of war.

Certainly there is no express repeal by the act of 1863 of the act of 1795. The repeal, if there is any, is by implication, and can only be

act of 1863 of the act of 1795. The repeal, if there is any, is by implication, and can only be admitted so far as there is a clear inconsistency between the acis. The act of 1795 is inconsistent with that of 1863 as to a vacancy occasioned by death, r signation, absence or sick-ness; but not at all inconsistent as to a vacancy caused by removal.

It is assuredly proper that the President

should have the same power to fill temporarily a vacancy occasioned by removal as he has to supply a place made vacant by death or expiration of term. If, for instance, the inequib-ent of an office should be found to be wholly until to exercise its functions, and the public service should require his immediate expul-sion, a remedy should exist and be at once ap-plied and time be allowed the President to se-lect and appoint a successor, as is permitted him in case of a vacancy caused by death or the termination of an official term.

The necessity, therefore, for an ad interin

appointment is just as great, and indeed may be greater in cases of removal than in any others. Before it be held, therefore, that the power given by the act of 1795 in cases of removal is abrogated by succeeding legislation, an ex-press repeal ought to appear. So wholesome a power should certainly not be taken away by by loose implication. It may be, however, that in this, as in other cases of implied repeal, doubts may arise. It is confessedly one of the most subtle and debateable questions which arise in the construction of statutes.

If upon such a question I have fallen into

an erroneous construction, I submit whether it should be characterized as a violation of offi-cial duty and of law. I have deemed it proper, in vindication of the course which I have considered it my duty to take, to place before the Senate the reasons upon which I have based

Although I have been advised by every mem ber of my cabinet that the I cnure of Office act is unconstitutional and therefore void, and although I have expressly concurred in that opinion in the veto message which I had the honor to submit to Congress when I returned the bill for reconsideration, I have refrained from making a removal of any officer contrary to the provisions of the law, and have only received that power in the case of My Store to the provisions of the law, and have only exercised that power in the case of Mr. Stanton, which, in my judgment, did not come within its provisions. I have endeavored to proceed with the greatest circumspection, and have acted only in an extreme and exceptional case, carefully following the course which I have marked out for myself, as a general rule, withfully the greatest all laws thought record faithfully to execute all laws, though passed over my objections, on the score of constitutionality. In the present instance I have appealed, or sought to appeal to that final arbiter fixed by the constitution for the determination of all such questions. To this course I have been impelled by the solemn obligations which rest upon me to sustain inviolate the powers of the high office committed to my hands. Whatever may be the consequences, merely personal to myself, I could not allow them to prevail against a public duty so clear to my own mind and so imperative. If what was possible had been certain; if I had been fully advised when I removed Mr. Stanton that in thus defending the trust committed to my hands my own removal was sure to follow, I could not have hesitated, actuated by public considerations of the highest character. I earnestly protest against the resolution of the faithfully to execute all laws, though passed earnestly protest against the resolution of the Senate, which charges me in what I have done with a violation of the Constitution and laws of the United States.

Washington D. C., February 22, 1868. THE SPEECH OF THAD, STEVENS IN CLOSING THE IMPEACHMENT DEBATE ON MONDAY.

The following is a full report of the speech delivered in the House of Representatives, by old Thad. Stevens, of Pennsylvania, just previous to the vote on impeachment:

Mr. Stevens .- I agree with the gentlemen who have preceded me that this is a grave sub-ject and should be very gravely treated. It is important to the high official who is the subject of these charges, and it is important to a nation of forty millions of people, now free and rapidly increasing to hundreds of millions. The official character of the chief executive of

The official character of the chief executive of this great nation being involved, the charge, if falsely made, is a cruel wrong.

If, on the other hand, the misdemeaners and usurpations charged against him are true, he is guilty of as atrocious attempts to usurp the liberty and destroy the happiness of this nation as were ever perpetrated by the most detestable tyrant who ever oppressed his fellowmen. Let us, therefore, discuss these questions, in no partisan spirit, but with legal tions, in no partisan spirit, but with legal accuracy and impartial justice. The people desire no victim and they will endure no

usurper.
The charges, so far as I shall discuss them, are few and distinct. Andrew Johnson is are few and distinct. Andrew Johnson is charged with attempting to usurp the powers of other branches of the government; with attempts to obstruct and reast the executio of the laws; with misprison and bribery, and with the open violation of laws which declare his acts misdemeanors, and subject him to fine and imprisonment and with removing form of and imprisonment, and with removing from ofthe Senate, without the advice or consent of the Senate, and with violating the sixth sec-tion of the act entitled 'an act regulating the tenure of Certain civil offices." There are other ffences charged in the papers referred to the

themselves.

In order to sustain impeaturent under our constitution I do not hold that it is necessary to prove a crime, as in an indictable offence, or an act matum in se. I agree with the distinguished gentleman from Pennsylvan on the other side (Mr. Woodward), who hold is to be a purely political proceeding. It is it, idea as a remody for malforsance in office at to provent the continuance thereof. Beyond it is not intended as a personal punishment: past offences or for future example. Impeachment under our constitution is different from nent under our constitution is different from ment under our constitution is different from an impeachment under the English law. The framers of our constitution did not rely for safety upon the avenuing darger of a Brutus, but provided peaceful remedies which should prevent the necessity. England had two sys-tems of jurisprudence for the trial and impeachment of common offenders and one for the trial of men of higher status, whom it was found difficult to convict before the ordinary tribu-

is latter proceeding was by impeac or bills of attainder, generally practiced to punish official malefactors, but the system soon degenerated into personal and political perse-cution, and men were tried, condemned and executed by the court from malignant motives. Such was the condition of the English laws when the constitution was framed, and the convention determined to provide against the abuse of that high power, so that revenge and punishment should not be inflicted upon political or personal enemies. Here the whole punishment should not be inflicted upon political or personal enemies. shment was made to consist in removal from office, and bills of attainder were wholly pro-hibited. We are to treat this question, then, as wholly political, in which, it any officer of the government abuses his trust, or attempts to pervert it to improper purposes, whatever might be his motives, he becomes subject to impeachment and removal from office.

The offence being indictable does not prevent impeachment, but that is not necessary to sustain it. This is the opinion of our elementary writers, nor can any case of impeachment tried was made to prove the offence criminal and in dictable. What, then, are the official misde meanors of Andrew Johnson, disclosed by the evidence? On the 2d day of March, 1807, Congress passed an act entitled "An act regulating the tonure of certain civil offices." Among other provisions it enacted that no officer who had been appointed by and with the advice and had been appointed by and with the advice and consent of the Senate should be removed from office without the consent of the Senate, and that if during the vacation a suspension should be made for cause, such cause should be re-ported to the Senate within twenty days after their next meeting. If the Senare should deem the reason of the suspension sufficient, then the officer should be removed and another ap-pointed in his stead; but if the Senate should pointed in his stead; but if the Senare should refuse to concur with the President and declare the reasons insufficient, then the officer suspended should for his three resume the functions of his office and the powers of the person performing its dataes should cease. It is especially provided that the Secretary of War shall hold his office during the term of the President by whom he may have been appointed and one mouth thereafter, unless removed ed, and one month thereafter, unless removed by and with the consent of the Senate as afore-said. On the 12th of August, 1867, during the recess of the Senate, the President removed the Secretary of War, whose term of office had not expired, requiring him to surrender the office, with the public property, and appointed General U. S. Grant Secretary of War ad management

When Andrew Johnson assumed the office. he took the oath to obey the Constitution of the United States, and to take care that the laws be faithfully executed. This was a sol-emp and enduring obligation; nor can be plead exemption from it on account of his condition at the time it was administered. An attempt to obstruct the execution of the law-not a to obstruct the execution of the law-not a mere emission, amounting to negligence, which would have been a misdemeanor, but a daring and bold conspiracy was attempted by him to induce the General of the army to ad him to obstruct the return of the rejected Secretary, nowithstanding the Senate might decide in his favor. This is defined by the General, and a question of veracity, rather angrily dis-cussed, has arisen between them. Those gentlemen seem to consider that that question is one of importance to the public. In this they are mistaken; which is the man of truth and which is the man of falschood is of no-more public importance than if it arose hemore public importance than if it arose be-tween two obscure individuals. If Mr. Johnson tells the truth, then he is guilty of a high official misdemeanor, for he avows his effort to prevent the execution of the law. If the General Commanding tells the truth, then the President is guilty of a high misdemeanor, for he declares the same thing of the President, den, ing only his own complicity. No argument can make this point plainer than the statement of the culprit. If he and the General told the truth, then he committed wilful perjury by refusing to take care that the laws should be duly executed. To show the animus and guilty knowledge with which this law was

fit to occupy the executive chair, whose duty it is to inculcate obedience to and see that these very laws are faithfully obeyed? Then the great beauty of this remedial and preventive process is clearly demonstrated. He is dull and blind who cannot see its necessity and the beneficial purposes of the trial by impeachment.

By the sixth section of the act referred to it is provided that "every removal, appointment or employment made, had or exercised con-trary to the provisions of this act, and the making, signing, sealing, countersigning or issuing of any commission or letter of authority for or in respect to any such appointment or employment shall be deemed and are hereby declared to be high misdemeanors, and upon

peached and removed from office.

By the constitution, article 2, section 2, the President has power to nominate, and by and with the consent of the Senate, to appoint all officers of the United States whose appointments are not therein otherwise provided for, and which shall be established by law, and to fill up all vacancies that may happen during the recess of the Senate by giving commissions, which shall expire at the end of their next session.

next session.

Nowhere, either in the constitution or by statute, has the President power to create a vacancy during the session of the Senate, and fill it without the advice and consent of the Senate; and yet, on the 21st day of February 1868, while the Senate was in session, he notified the head of the War Department that he was removed from office, and his successor ad onerm appointed. Here is a plain recorded violation of the constitution and laws which, if it stood alone, would make every honest and intelligent man give his vote for impeach-

The President had persevered in his lawles course through a long series of unjustifiable acts. When the so-called Confederate States of America were conquered, and had laid down their arms and surrendered their territory to the victorious Union, the government and fina the victorious Union, the government and final disposition of the conquered country belonged to Congress alone, according to every principle of the law of nations. Neither the Executive nor the judiciary had any right to interfere with it, except so far as it was necessary to control it by military rule, until the sovereign power of the nation had provided for its civil administration. No power but Congress had any right to say whether ever or when they alound he admitted to the Union as States and entitled to the privileges of the Constitution of the United States. he United States.

And yet An rew Johnson, with unblushing hardinood, undertook to rule them by his own p wer alone, to lead them into full communion with the Union, direct them what governments

with the Union direct them what governments to erect and what constitutions to adopt, and to send Senstors and Representatives to Congress according to his instructions. When dimonished by express act of Congress, more an once repeated, he disregarded the warning and continued his lawless usurpation. He is since known to have obstructed the re-cestablishment of those governments by the authority of Congress, and has advised the inhabituats to resist the legislation of Congress. In my judgment his conduct with regard to that transaction was a high-handed usurpation of power, which ought long ago to have of power, which ought long ago to have brought him to impeacement and trial, and to have removed him from his position of great mayer removed him from als posterior of great mischief. He has been lucky in thus far escap-ing through false logic and false law. But his then acts, which will on the trial be shown to be alrocious, are epon evidence of his wicked determination to subvert the laws of his coun-

I trust that when we come to vote upon this

I trust that when we come to vote upon this quistion we shall remember that, although it is the duty of the President to see that the laws be executed, the sovereign power of the nation rests in Congress, who have been placed around the Executive as monuments to defend his rights, and as watenmen to enforce his obedience to the laws and the constitution. His oath is to obey the constitution, and ours is to compel him to do it.

We are to protect or to destroy the liberty and happiness of a mighty people, and to take care that they progress in civilization and defend themselves against every kind of tyranny. As we deal with the first great political malelactor, so will be the result of our efforts to perpetuate the happiness and good government of the human race. The God of our fathers, who inspired them with thoughts of universal freedem, will hold us responsible for the noble institutions which they projected and expected us to carry out. This is not to and expected us to carry out. This is not t be the temporary trumph of a political party, but is to endure in its consequences until this whole continent shall be filled with a free, untrammelled people, or shall be a nest shrinking, cowardly slaves. THE PRESIDENT'S VIEWS OF THE COURSE OF GEN

LORENZO THOMAS TOWARDS STANTON.

The Washington correspondent of the New York Herald, writing on Monday, says: The President seems more calm than durin the two preceding days, and talks much less, it is said. I do not say on authority that he has been somewhat disappointed in the turn affairs have taken, but his plan was not carried out exactly as he had designed. General Thomas was not up to the emergency, and made a serious blander in allowing Ar. Stanton to remain even an hour in the War Office after his notification of removal and the appoint-ment of Goueral Thomas. Had the latter insisted at the outset upon assuming control and demanded the symbols of authority, it a believed that Mr. Stanton would have quietly yielded, and the President would now be in a better position for testing the case before the

As showing the private view of the Presi-As showing the private view of the table dent about the blander of General Thomas, let me relate an incident I have heard from a source entitled to credit. When Gen. Thomas, after his first interview with Air. Stanton, told the President what had transpired, and that he had allowed Mr. Stanton reasonable time the President what his transpired, and that he had allowed Mr. Stanton reasonable time to arrange his documents and papers, the President quackly remarked, "Well, General, I am arraid Stanton wai flank you after all," "Not at all," said Thomas; "I will go there in the morning and take possession. There will be no trouble,"

will be no trouble."
"But," replied the President, "suppose Stanton locks the door on you, and refuses to let you 'I will break open the door," rejoined

Thomas. "Oh, tut, tut, General, that is not the way to do at all," responded the President. AN INTERVIEW WITH GENERAL THOMAS-HIB

VERSION OF THE DIFFICULTY. The same correspondent writes: Your correspondent, in his tugitive pursuit of information bearing upon the present crisis, called to-day upon Adjutant-General Lorenzo Thomas, around whom at this particular moment so much interest centres, as the one who has had the temerity to "beard the lion in his structure to the control of the cont

den," or, in other words, to grapple with the high and mighty Stanton, the rough Crorawellian idiosyncracy of this century. So far General Thomas is the hero of the hour, the bold pioneer who has ventured on invading the penetralea of the War Department and atpioneer who has ventured on invaling the penetraliza of the War Department and attem; ted overthrowing the evil genias of the place. Your correspondent was rather astonished to find General Thomas in a trame of mind entirely at variance with one's preconceived notions of the condition in which a percentage of the condition in which a percentage of the condition of the condition in which a percentage of the condition of the condition in which a percentage of the condition of the violated, we have only to turn to the proceed-ings of the Senate notifying him of his illegal and void conduct, and then to consider that he

has since persisted in attempting to enforce it. Indeed, to show his utter disregard of the laws of his country, we have only to turn to his last annual message, in which he proclaims to the public that the laws of Congress are unconstitutional and not binding on the people.

Who, after that, can say that such a man is the topic distribution of the country and good humor no change of circumstances could alter. He had none of the sinister, Cassius-like expression of a revolution of the constitution, in New England. Stand the constitution, in New England. Stand the constitution, in New England. Stand In place of a grave and troubled expressian of countenance, the General wore all the looks of one whose serenity and good humor no change of circumstances could alter. He had none of the sinister, Cassius-like expression of a revolutionist, neither did he appear to wear that look of defiant meaning which might be readily assumed as a consistent characteristic of one who has ventured to act so daring a part. He seems about fixty years old, tall in stature, with a silvery head of hair, a mild, benevolent voice and a prepossessing smile.

"Well, General," remarked your correspondent, "you appear to take this business complacently."

"Yes," he replied, "I don't see any reason why I should not; my conscience is perfectly easy in the matter. I have been appointed to perform a certain duty, and I intend to do it."

"Do you recognize it in the light of a command from your superior officer, which you, as a military man, are bound to obey?"

"No, purely as a civil appointment, which I have accepted in good faith, and intend to fulfil."

"But how will you manage it if Sccretary Stanton refuse to let you perform the duty to which you have been assigned—will you use force?"

"Well, I never contemplated using force, and

mand from your superior officer, which you, as a military man, are bound to obey?"

mand from your superior officer, which you, as a military man, are bound to obey?"

"No, purely as a civil appointment, which I have accepted in good faith, and intend to fulfil."

Now, in defiance of this law, Andrew Johnson, on the 21st day of February, 1868, issued his commission or lettler of authority to Lorenzo Thomas, appointing him Secretary of War ad interva, and commanding him to take pectet the incumbent, E. M. Stanton, then in a will possession of said office.

Here, if this act stood alone, would be an undeniable misdemeaner. Not only a misdemeaner per sc., but declared to be so by the act itsel, and the party made indictable and punishable in a criminal proceeding. He hact itsel, and the party made indictable and punishable in a criminal proceeding. He hact itsel, and the party made indictable and punishable in a criminal proceeding. He hact itsel, so made to the propose to prove on the trial that Andrew Johnson escapes with bare removal from the penitentiary afterwards, under criminal proceedings—ho may thank the weakness or clem ney of Congress, and not his own innocence.

We shall propose to prove on the trial that Andrew Johnson was guilty of misprison of the penitentiary afterwards, under criminal proceedings—ho may thank the weakness or clem ney of Congress, and not his own innocence.

We shall propose to prove on the trial that Andrew Johnson was guilty of misprison of the imprisonment denounced by the law. Bribery is one of the offences specifically enumerated for which the President may be impeached and removed from office.

By the constitution, article 2, section 2, the President has power to nominate, and by and with the consent of the Senate, to appoint all the rumors to that effect are groundless. The story of the case is briefly this: I called on Secretary stanton refuse to let you perform the duty to which you have been assigned—will you use force?

"Well, I never contemplate using force, and all the

until I furnished an amount of bail equivalent to the fine attached to the offence with which I was charged. The man to whom I looked for was charged. The man to whom I looked for furnishing the necessary recognizance lived out in Georgetown, and I told the Judge it would be necessary to send for him. Fotunately he happened to be in town to hear what was round on. The messanger met him in the going on. The messenger met him in the going on. The messenger met him in the street, and, in company with another gentleman, came to the Judge's room, and gave the recuisite bonds. hortly afterwards, when what was happening became better known, over twenty gentlemen made their appearance, and volunteered any amount of bail that might be demanded. Among these were several terrablishes who saying them. were several republicans, who said if a million dollars were necessary it would be furnished me fortawith. The Marshal, who never for a moment allowed me to quit his sight, apologized when all was over for having such a disagreeable duty to perform, and remarked that unless he executed it faithfully a cry might be raised against him by the Radicals. In the interim, however, while waiting for the bail, I asked and received permission to go and ban, a saed and received permission to go and acquaint the President of what had taken place. The Marshal accompanied me, and both of us were ushered into his Excellency's presence. The President, on being acquainted with what had transpired, simply told me to return and give the necessary bonds and employ counsel to conduct my case. This was done, and when the proceedings were over done, and when the proceedings were over I repaired to the War Department to enter upon my daties. This was about eleven o'clock. I communicated to Secretary Stanton the purport of my viet, and the confusion which cone.cd, as published in the papers, is entirely correct. When Stanton decided not to surrender up the office, and when I concluded it was useless to say any more on the sub-coli the surrender up the office. od it was useless to say any more on the sub-juct, we both sat down and had a brief but pleasant conversation on other topics. I re-marked, jocosely, that I had eaten no breakfast that morning, and that it was a cruel thing of him to be the means of depriving me of it. He replied that nothing so inhuman was contem-plated, and that the circumstance should be attributed to over zeal on the part of some one class. That was my last interview with Stan-ton: but to-morrow I suppose we meet again."

ton; but to-morrow I suppose we meet again."
"And then, General, how will you act?"
"Well I shall go down to the War Department at the usual hour as Secretary of War ad interim, to all intents and purposes, without any reservation or doubt that my powers as such as are perfectly legitimate, as were those of General Grant. I shall set about in the name of the President, give instruc-tions to suborlinate officials and direct the general work of the department. Of course it will be very unpleasant for me to find offi-cers there who may be prepared to disregard my orders. It may, perhaps, happen to be some personal friends of my own; but I have no other resource than to some personal friends of my own; but I have no other resource than to use the power conferred upon me and order them under arrest if they refuse to obey the legitimate

"But what about the Great Mogul himself"

"But what about the Great mogul mineer I is Stanton to be left severely alone?"

"That's the question. He has already refused to vacate, and I suppose he will persist in his refusal. On my own option I should decline to use any force; but if the President interest we to severally forcible pressussion. struct me to employ forcible persuasion, must, to be consistent, do so. However, I shall await the further development of this disagreeable business before saying what I shall do."

Bidding the General adieu at his hall door, he remarked, pointing to a policeman who was in the act of disappearing around the corner, while at the same time casting a furtive but significant glance in our direction, "That man," said he, "has passed up and down here forty times this morning, and is evidently a spy set to watch every person calling upon me in the course of the day, to detect if possibly whether any of the President's supporters are among my visitors, and to infer from that that I am receiving counsel to act to-morrow with force in expelling Stanton; but perhaps he may have some other object." And, with an expression of doubt on his face as to that policeman's specific motives in doubling the corner so frequently, the General withdrew, serene and good humored as ever.

THE PEOPLE READY FOR THE ISSUE-PROFFERS OF MEN AND MONEY IN SUPPORT OF THE PRESIDENT.

Numerous letters and telegraphic dispatches of encouragement, and proffering aid in soldiers, etc., have been received by the President. From the dispatches the following may be selected as specimens:

"I can raise one thousand men to sustain you from my (second) district, New Jersey, if nec-

essary."

"You were right. The ffriends of constitutional liberty in New Hamphire will sustain
you.—Anson S. Marshal, Chairman Democratic
State Committee of New Hamphire." From
Maysville, Ky., the following: "Will one regiment of Irish be of any service to you? Ans-From Columbus, Ohio, the following: "An

unsually large and enthusiastic meeting of the people of this city is now being held in the rotunda of the State House. Resolutions have rotunda of the State House. Resolutions have been passed piedging the support of the people hereabouts to the President in his struggle with reckless usurpation and assumption of despotic congressional power, and avowing a determination to stand by him at whatever sacrifice and to whatever extent may be necessary to enable him to overcome the foes of public peace and order in the so-called Congress of the United States, Jno. G. Thompson, W. D. Rankin and Jno. M. Pugh, committee."

St. Louis, February 25.—The people here are with you, and ready almost to a man to sustain you in whatever way may be necessary

sustain you in whatever way may be necessary in upholding the constitution and resisting Congressional usurpation.

AUGUSTA, Me., February 22.—Your course is

MANCHESTER, N. H., February 23.—As Sum-

All of us believe in the propriety of your act. The conduct of Congress has already secured a Democratic majority in this State, and every Democratic voter will aid you when necessary with their lives, their blood, or their treasure, to roll back the tide of Congressional revolution and usurpation.

INDIANAPOLIS. February 24 .- Your friends in Indiana send you greeting assurances of support in your fight for the constitution. PITTSBURG, Pa., February 24.—Your friends here are moving. Remain firm. Be thou ruler even in the midst among thine enomies. CINCINNATI, February 22.—Our foreign population between the contract of the contr

CINCINNATI, February 22.—Our foreign population almost unanimously, and a large majority of our native population, applied your course, and are ready when wanted to sustain it with their good right arms.

New York, February 24.—Our bondholders and business men are seriously alarmed. The revolutionary action of Congress has convinced them that it is only fit for mischief. The whole population looks to you for relief. They will sastain you in preventing the breaking up of the government. If necessary you can have half a million of men and millions of money.

#### Shipping.

THE FIRST-CLASS SEIP HANNAH
MORRIS, MORRIS, Marter, having a part
of her cargo engaged, will be dispatched.
For Freight engagements apply to
WILLIS & CHIS-DLM,
February 28 ftu2 North Atlantic Wharf.

THE BRITISH SHIP GORILLA, JONE ;
Master, having a cort on of her cargo engaged and going on board, will reset with
dispatch for the above port.

For Freight engagements, apply to ROLT, MURE & CO., Eopre's Wharf.

PATIERSON & STOCK, fouch tiantic Wharf. FOR LIVERPOOL.

"THE NEW A1 AUERICAN SHIP
"JAMES A. WRI HT" hav ng a portion
of her careo engaged, will be dispatched
for the above port.
For Freight engagements, apply to
STREET BAO HERS & CO..
February 22
No. 14 East Gey.

FOR LIVERPOOL. THE FINE AMERICAN SHIP R. C. WINTHRUP, J. H. STEWART Master, having a large portion of her .rg. engaged and going ou board wil. meet with dispat:b.
For freight of the balance app'y to the Captain on board at south Atlantic Wha f, or to
February 19
PA:TEKSON & STOCK.

VESSELS WANTED. GOOD RATES AND QUICE DISPATCH Apply to RISLEY & CREIGHION, January 25 Nos. 143 and 145 East Bay

NEW YORK AND CHARLESTON STEAMSHIP LINE .- FOR NEW YORK.

THE ELEGANT SIDE WHEEL STEAM HIP CHARLESTON, BERRY, Commender, will leave Augur's South Wharf for the above port on saturday, 28th ins ant, at 6 o'clook P. M. For Freight or Passage, apply to

Corner East Bay and Adger's south Wharf, February 28

2

Up stairs.

FOR NEW YORK. THE STEAMSHIP ASHLAND, Captain G. L. Nonros, will leave Brown's Wharf Friday, 2.th February, 1988. Brown's What.

For Freight or Passage pply to

JOHN & HEO. CETTY,

North Atlantic Whart.

FOR NEW YORK.

REGULAR EVERY SATURDAY. THE STEAMSHIP SARAGOSSA, Captain Cnowell, will leave Van-derboret's Wh'ri, on Saturday, February 20, at half past 11 o'clock

, al.
Bills Lading. accompanied by Tax Receipts, must
e presented by half-past 9 o'clock on that day.
For Freight or Passage apply to
February 24
RAVEN L & CO., Azents. FOR NEW YORK.

PEOPLE'S MAIL STEAMSHIP COMPANY. THE STEAMSHIP EMILY B. SOUDER, Captain Lenny, will leave North Atlantic Wharf. Friday, February 23, at 10 o'clock A. M. JOHN & THEO. GETT., Agents, North Atlantic Wharf.

STEAM TO LIVERPOOL

CALLING AT QUEENSTOWN. THE INMAN LINE, SAILING SEMI-WHERLY carrying the U. S. Mai s, consisting of the following steamers:

CITY OF PARIS.

CITY OF BALTIMORE,

OITY OF WASHINGTON,

CITY OF BOSTON.

Sailing every Saturday and every alternate Monday,
at 1 P.M., from Pier No. 45 North River, New York. RATES OF PASSAGE. BY THE MAIL STEAMERS SAILING EVERY SATURDAY.

BY THE MAIL STEAMERS SAILING EVERY SATURDAY.

Payable in Gold.

\$100 | Steerage in Currency.

\$30 | Steerage to London... \$50 |

\$15 Cabin to London... \$15 | Steerage to London... \$5 |

\$15 Cabin to Paris... \$15 | Steerage to London... \$5 |

\$16 Passage by the \*Mon'lay site uners—First Cab'n \$90, gold; Steerage \$31; payable in U. S. currency.

\$17 Rat-s of Disage from New York to Bullar, Cabin.

\$20, Steerage, \$10; payable in gold.

Passengers also forwarded to Havre, Hamburg,

Bremen, &c., 't moderate rates.

Steerage passale from L verpool and Queenstown,

\$40 currency. Ticas s can be bought here by persons sending for their friems.

For further information apply at the Company's offices.

\$100 NO. 15 Broadway, New York.

February 20

THROUGH TICKETS TO FLORIDA, BY CHARLESTON AND SAVANNAH STEAM PACKET LINE .- SEMI-WEEKLY VIA BEAU-FORT AND SILTON BEAD-WEEKLY

VIA BLUFFTON. 

ONE OF THE ABOVE TRAMBers will leave Charleston every
Monday and Taursday Night at 12 o'clock; and
Savannah overy Wedenday and Saturacy Morning, at 7 o'clock. orching at Blutton on Morday, trip from Charles. and Walnesday, trip from

Savannah.
All Way Freight, also bludten Wharfage, must be For Freight or Passage, apply to JOEN FERGUSON, account odation Wharf.

January 16 FOR PALATEA, FLORIDA, VIA SAVANNAH, FERNANDINA, JACKSONVILLE, AND ALL LANDINGS ON THE ST. JOHN'S STEAMERS DISTATOR AND

STEAMERS DI TATOR AND ever. Tuesday and Friday Evenings, at 9 o'c. .c.e. for above places, and sava nuh every Wednesday and Saturday, at 3 o'c. .c.e. for above places, and sava nuh every Wednesday and Saturday, at 3 o'c. .c.e. P. M. Steamer DICTATOR, Capt. L. M. COXETTER, sails Tuesday Evening.

Ste mer CITY POINT, Capt. S. ADEINS, sails Friday Evening.

day Eveni-9.

For Freight or Passage apply on board or at office of J. D. AIKEN & Co., Agents, South Atlantic Wharf.

# Miscellancous.

C RAND REOPENING AND FREE

ULUNCH.

We, the understanced, beg leave to inform our friends, and the public in general, that we have fixed up in proper style and openie the old stand, well known as the PALMETTO SHADEN, NO. 115 EAST BAY, where we will keep constantly on hand the best of LIQUORS AND CLOARS.

To-day, at 11 o'clock, A. M., a GOOD LUNCH will be served, and we beg the public to honor us with their presence and partake of the same.

Respectfully,

A. EEBERGER.
D. NORDMEYER.

AFT ROYAL HAVANA LOFFERY. —PRIZES
CASHED AND INFORMATION FURNISHED.
The highest rates paid for DOUBLOONs and all kinds of GOLD AND SILVER.
TAYLOR & CO., Bankers,
No. 16 Wall street,
October 19 [17] New York.